CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA PELED

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

	JUN ,1, 5 2009
BA. 10HM	JUN 1 5 2009 F. CORCORAN, CLERK
	DEPUTY CLERK

RODNEY L. FULLER, Petitioner,) Civil Action No. 7:09-cv-00117
v.)) <u>FINAL ORDER</u>
WARDEN LORETTA KELLY, Respondent.) By: Samuel G. Wilson United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby

ORDERED and **ADJUDGED**

that Fuller's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED**; his "motion for equitable or other tolling" is **DENIED**; and this case shall be **STRICKEN** from the active docket of the court.

Fuller is advised that he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 30 days of the date of entry of this Order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk of the Court is directed to send a certified copy of this Order and accompanying Memorandum Opinion to the petitioner.

ENTER: This 15th day of June, 2009.

United States District Judge